

Put simply, there are two approaches for managing community cats (sometimes referred to as “free-roaming,” “stray,” “feral” or “at-large” cats). The traditional way, known as “catch and kill” relies on an ineffective and expensive model where animal control officers round up cats (typically in response to nuisance complaints), adopt out the small number of these that they can, and then euthanize the rest at the local animal shelter.² However, the data continues to demonstrate that catch and kill just doesn’t work at its stated goal of population control. Cats reproduce faster than a typical animal control department can catch them, which is why more municipalities have adopted alternative options.

The Benefits of TNVR Programs.

To address the failures of the catch and kill model, communities have increasingly gravitated to Trap-Neuter-Vaccinate-Return (TNVR or TNR), which has proven itself effective for managing community cat populations.³ TNVR is a non-lethal, decentralized technique employed by residents for managing community cats. The cats are humanely trapped, spayed or neutered by a licensed veterinarian, ear-tipped (the universal sign that they have been sterilized and vaccinated for rabies), and returned to where they were trapped. TNVR empowers the community to take action in their neighborhood. In addition to being a more humane option, TNVR can also save a community money by reducing the costs for animal control.

Many TNVR programs, in addition to vaccinating against rabies, also vaccinate cats against three other common viruses (feline viral rhinotracheitis, calicivirus, and panleukopenia virus) through what’s known as the FVRCP vaccine. In addition, some TNVR programs will find homes for adoptable cats and kittens (when doing so is feasible and appropriate) and coordinate with designated cat caregivers who provide ongoing care (e.g., food, water, shelter, veterinary care), avoiding the costs of sheltering and care usually born by the local government in a Catch and Kill model. These programs will also relocate a cat from the place it was trapped if doing so is required or in the best interest of the cat and/or community, though this option should only be used as an absolute last resort.⁴

Brick and mortar municipal animal shelters (and private shelters with government contracts) also commonly implement this type of programming, calling it Return-to-Field (RTF), Shelter-Neuter-Return (SNR), Shelter-Neuter-Vaccinate-Return (SNVR) or some variation on these terms. The major difference between TNVR and RTF is that TNVR programs are community-based (with residents typically bringing community cats to a local clinic) whereas RTF programs are shelter-based (i.e., for community cats brought to a shelter by residents or animal control officers). Both types of programming promote public health as well, as fewer cats reproduce and the overall population lowers, and the cats remaining are now vaccinated.

The places that have most successfully controlled their community cat populations implement and support both TNVR and RTF. While the programs are similar, there

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Chapter 4

A Community Issue, A Community Solution: Robust Cat Management Programs

Introduction

Cats are amazingly resilient creatures, able to survive in most climates, varied landscapes and without much human assistance. Research suggests that their domestication dates to 7500 BCE, probably to deter rodents attracted to grain.¹ When you consider how quickly and efficiently they reproduce, it’s a small wonder that we don’t have more of them living in our communities. Nevertheless, cat population control animates discussions in communities both large and small, urban, suburban and rural. And while the scope of the issue can seem daunting at first, the good news for practitioners is that a well-documented population control model exists, the legal framework to implement it is well-known (and sometimes requires little to no changes to a local ordinance), and it is being implemented throughout the country, and has been for some time.

are differences. RTF is when a cat is brought to a shelter and the shelter returns it to where it was trapped. When a caretaker gets the cat sterilized, vaccinated and returns it, that's TNVR. Both programs operate best when the shelter and the community work hand-in-hand as partners with a shared goal.

In addition to its effectiveness at population control, communities turn to TNVR and RTF because when confronted with a choice to euthanize the majority of these cats, or to return them to the community where they have been thriving (after being vaccinated and spayed or neutered), the public will choose the latter. In fact, in two national surveys respondents preferred TNVR over catch and kill by a 3 to 1 or 4 to 1 margin.⁵ Since many community cats are not socialized and not adoption-eligible, impounded ones often end up being killed in shelters. The public demands better outcomes.⁶ Couple that with the dramatic decrease in nuisance complaints associated with TNVR and RTF and it's no surprise that so many people prefer this approach to the traditional model.⁷

Another reason for such widespread support is the cost savings associated with TNVR and RTF. The traditional model requires needless staff time to trap, transport, and impound the cats. The shelter employees then need to house and feed them and provide veterinary care if necessary. Since only a fraction of the cats will be adopted, the costs of euthanizing and disposing of them also needs to be considered. TNVR and RTF are much simpler and more cost-effective programs (typically less than half the cost of catch-and-kill),⁸ which let shelters focus their budgets and staff on other lifesaving opportunities. Additionally, communities that catch and kill cats need to consider the emotional costs incurred by animal shelter staff and/or animal control officers who are the front-line workers tasked with needlessly euthanizing these animals, day after day. This leads to higher staff turnover, which of course adds additional financial strains on to your budgets.

Community cat programs also foster better relationships between your local government and residents. This type of model is centered on the idea of community members partnering with their government agencies and actors to achieve a shared goal. These programs are most successful in places that embrace that these types of solutions require mutual cooperation, trust, and respect. For example, your local shelter should develop outreach strategies to promote TNVR in the community and should work with the animal control officers to educate them about the benefits of the programs. These front-line officers are often the ones engaging with members of the public, giving them an incredible amount of influence and responsibility. Shelter leadership should also work to build relationships with the local animal welfare organizations operating in their community. Animal rescues are there to help, so welcome them and figure out how to work together to build and implement your program.

The goal of this chapter is to offer practical guidance

to municipalities in establishing the legal framework to allow for successful TNVR and RTF programming to help humanely and effectively reduce the community cat population. As with any legislative measure, the direct and indirect consequences need to be studied to ensure that all legitimate concerns are considered, that the measure fits the community, and that the community will be well served by the measure.

Legal Considerations to Implement TNVR and RTF

While the laws in many communities are already permissive for TNVR and RTF, some places still have outdated restrictions that can be a barrier to successfully implementing these types of programs. Some of these obstacles can be overcome in practice, since field services staff typically have considerable flexibility in how they carry out their duties (e.g., field services officers are not always required to impound healthy stray cats).

The American Bar Association (ABA) addressed this very issue in Resolution 102B, which was approved by the House of Delegates in August 2017. The Resolution urges state, local, territorial, and tribal legislative bodies and governmental agencies to interpret existing laws and policies, and adopt laws and policies, to allow the implementation and administration of (TNVR) programs for community cats jurisdictions. This resolution considered the need for effective, humane management of community cats and the possibility that changing existing laws may not always be necessary.⁹

Importantly, before getting into the specific code provisions implicated by TNVR and RTF, it is good to remember that even if community cats are not explicitly addressed in the ordinance, existing language may already allow for this type of programming. Or, as is often the case, minor tweaks may be all that is needed. Sometimes all that is needed is clarifying that community cats hold a different legal status than owned pet cats.

But if there are still roadblocks to fully implementing a robust TNVR and/or RTF program in your community that need to be addressed, there are resources to assist. Best Friends Animal Society has attorneys that specialize in working with municipalities to help them optimize TNVR and RTF in their community; these services are offered for free to municipalities. We also encourage municipal attorneys to seek guidance from neighboring communities that have adopted community cat programming. Community cat programs like TNVR and RTF are more prevalent than ever. Having spent decades trying the catch and kill model, communities across the country (and world) are now turning to this proven and efficacious approach. While local ordinances may require some revising, the changes are typically minimal, and the results can be dramatic.

Environmental Considerations: Separating Fact from Fiction

Cats can degrade the environment whether they are accepted as community cats or they are the targets for a catch and kill program. Developing a program that matches the com-

munity and its environment can be essential to an effective and legally compliant TNVR program. A community that adopts TNVR may violate the various laws designed to protect wildlife and endangered species, but a community that fails to effectively control feral cats may similarly be at risk for not protecting the environment. Each community must do its own analysis both before implementing a program and while it is in operation to determine its effectiveness in controlling feral cats and in protecting endangered species and the environment.

A Successful Case Study: Harris County, Texas

Harris County is one of the most populated counties in the United States and also one of the largest by land area within Texas. As with any place this size, the county has a large population of community cats. For decades, the county futilely relied on the “catch and kill” model to respond to the problem. Unsurprisingly, it failed to control the population (and anecdotally it appears the population may have actually increased). At that point, county leadership, in cooperation with local resident animal-welfare advocates, decided to modernize the law to encourage and promote TNVR and RTF, and in April 2020 it adopted an overhaul of its animal regulation, making the new law a model for the management of community cats.¹⁰ While its effect on endangered species and on wildlife have yet to be tabulated, the program has seen success in other ways.

Most of the considerations mentioned in the above sections were applied to the new regulation, including all the appropriate definitions and removal of any barriers to enacting TNVR and RTF.

But what is most notable about the new law is the inclusion of Section 15, Trap-Neuter-Return. The county chose to put itself on record as not only encouraging these programs, but preferring them as the model for “controlling the community cat population.” The full text of Section 15 is below:

- A. Trap-Neuter-Return is the preferred method for controlling the community cat population through the community cat diversion program. An animal shelter and any contracted shelter organizations shall prioritize the Trap-Neuter-Return method as the preferred outcome for community cats by directing any non-eartipped, free-roaming cats to the Trap-Neuter-Return process, whether the cat has been impounded or not.
- B. As part of Trap-Neuter-Return, spay or neuter and vaccination for rabies shall take place under the supervision of a licensed veterinarian.
- C. A healthy trapped, ear-tipped cat will be released on site where trapped unless veterinary care is required. An ear-tipped cat received by a shelter or animal control will be returned to the location where trapped unless veterinary care is required.
- D. Community cat caregivers are empowered to reclaim impounded community cats without proof

of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning ear-tipped community cats to their original locations.

E. A community cat caregiver who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.

Less than six months into its passage, the law had already generated positive results for animal control, the animal shelter, community cat caretakers, the local animal welfare community, and the public at-large. There is now more cooperation, dialogue and trust between these stakeholders than there ever was prior to the new approach. What’s more, the county is now fully implementing robust TNVR and RTF programs that is already having an impact on the number of cats impounded to the shelter and the number of cats needlessly killed. It serves as a success story for community-based animal services, one that other municipalities can look to for guidance when considering their own specific needs.

Notes

1. J.D. Vigne et al., *Early Taming Of The Cat In Cyprus*, 304 *Science* 259–259 (2004), <https://science.sciencemag.org/content/304/5668/259>.
2. Peter J. Wolf & Francis Hamilton, *Managing free-roaming cats in U.S. cities: An object lesson in public policy and citizen action*, *J. Urban Aff.* 1–22 (2020), <https://doi.org/10.1080/07352166.2020.1742577>.
3. E.g., Daniel D. Spehar & Peter J. Wolf, *An Examination of an Iconic Trap-Neuter-Return Program: The Newburyport, Massachusetts Case Study*. *Animals* 2017, 7.
4. See <https://www.alleycat.org/community-cat-care/safe-relocation/>.
5. Peter J. Wolf & Joan E. Schaffner, *The Road to TNR: Examining Trap-Neuter-Return Through the Lens of Our Evolving Ethics*, 5 *Frontiers in Vet. Sci.* 341 (2019), <https://www.frontiersin.org/article/10.3389/fvets.2018.00341>
6. E.g., Linda K. Lord, *Attitudes toward and perceptions of free-roaming cats among individuals living in Ohio*. *J. Am. Vet. Med. Assoc.* 2008, 232, 1159–1167; Lauren van Patter, Tyler Flockhart, Jason Coe, Olaf Berke, Rodrigo Goller, Alice Hovorka, Shane Batemen, *Perceptions of community cats and preferences for their management in Guelph, Ontario, Part I: A quantitative analysis*, *Can. Vet. J.* 2019, 60, 41–47.
7. J.C. Mahlow & M.R. Slater, *Current issues in the control of stray and feral cats*. *J. Am. Vet. Med. ASSOC* 1996, 209, 2016–2020.
8. Wolf & Hamilton, *supra* note 2.
9. American Bar Association Resolution 102b, August 2017, https://www.abajournal.com/news/article/trap_neuter_vaccinate_return_community_cats_aba_delegates.
10. See Harris County, Texas Animal regulation at <https://publichealth.harriscountytexas.gov/Resources/Animals-and-Pets/AnimalLaws/AnimalRegulations>.